

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff,

NO. CR 18-092RAJ

v.

BERNARD ROSS HANSEN and
DIANE ERDMANN,
Defendants.

ORDER CONTINUING TRIAL AND
SETTING AMENDED CASE SCHEDULE

The Court, having heard from the parties in open court on December 28, 2020, and having considered the General Orders of the United States District Court for the Western District of Washington addressing measures to reduce the spread and health risks from COVID-19, and those Orders and findings are incorporated herein, hereby makes the following additional findings:

1. Given the current state of COVID-19 pandemic, the likely timeline for the distribution of the vaccine, and the resulting effect of this public health situation on the ability for jurors, witnesses, parties, counsel, and Court staff to be present in the courtroom, the February 22, 2021 trial date is stricken.
2. The failure to grant a continuance of the trial date in this case would likely result in a miscarriage of justice. Pursuant to 18 U.S.C. § 3161(h)(7)(A), the ends of justice served by continuing the trial in this case outweighs the best interest of the public and the defendant to a speedy trial.

3. Further, counsel for defendants have other trial and professional obligations in May 2021 and June 2021 that support the need for a longer continuance. The failure to grant a continuance in this matter would deny counsel for the defendants the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv).

IT IS ORDERED that trial in this matter be continued to July 6, 2021. The period of time from the date of this order up to and including the date to be set for trial, shall be excludable time pursuant to 18 U.S.C. § 3161.

FURTHER, the Court, having reviewed the record and files in this case and after a consideration of all relevant information and the circumstances of this case, enters the following scheduling order:

Event	Deadline/Date
Parties to file motions <i>in limine</i> and any motions re jury selection. Responses due April 16, 2021; Noting Date: April 16, 2021	April 2, 2021
Motions Hearing, if necessary	April 30, 2021, 1:30 p.m.
Status Hearing, if necessary	May 14, 2021, 10:00 a.m.
Government's witness list and exhibit list (with bates numbers provided to defense) related to its case-in-chief; Government to produce Rule 26.2 materials and <i>Giglio</i> impeachment materials, with continuing obligation as set forth in Rule 16(c)	June 1, 2021
Preliminary Disclosure of Government's Proposed Charts and Summaries (non-binding and subject to amendment)	June 7, 2021
Defendants' witness list related to its case-in-chief; Defendants to produce Jencks Act and Rule 26.2 materials, with continuing obligation as set forth in Rule 16(c)	June 14, 2021

Event	Deadline/Date
Parties to file Trial Briefs, Proposed Jury Instructions, Voir Dire, and Verdict Forms	June 21, 2021
Parties to file Exhibit Lists for cases-in-chief	June 24, 2021
Pretrial Conference	June 25, 2021, 10:00 a.m.
Trial	July 6, 2021, 9:00 a.m.

SO ORDERED.

DATED this 12th day of January, 2021.



The Honorable Richard A. Jones
United States District Judge